IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

***O R D E R***

S.B. CRIMINAL REVISION PETITION NO. 517/2006

*HIRA SINGH Vs. LAXMI*

DATE: 16.01.2007.

**HON'BLE MR. K.S. RATHORE, J.**

Mr. Pushpendra Pal Singh for the petitioner.

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This revision petition under Section 397 r/w Section 401 Cr.P.C. is directed against the order dated 09.03.2006 passed by the Additional Chief Judicial Magistrate No.4, Bharatpur in Criminal Case No. 115/2005, whereby while allowing the application of the respondent wife moved under Section 125 Cr.P.C., the trial Court has granted maintenance of Rs. 1,000/- per month from the date of filing of the application.

The trial Court has considered all aspects including the income of the petitioner husband and granted interim maintenance of Rs. 1,000/- per month from the date of filing of the application under Section 125 Cr.P.C. The main challenge of the petitioner is on the ground that the respondent wife is residing separately since 33 years and having 5 Bighas land and also doing the business of selling milk and

thus, she is able to maintain herself. Therefore, the impugned maintenance order dated 09.03.2006 deserves to quashed and set-aside.

Having considered the submissions made on behalf of the revision-petitioner and upon careful perusal of the order impugned dated 09.03.2006 by which maintenance of Rs. 1,000/- per month has been awarded in favour of the respondent wife, I find no illegality in the impugned order and the same requires no interference whatsoever by this Court.

Consequently, the revision petition fails being devoid of merit and the same is hereby dismissed.

**(K.S. RATHORE),J.**

/KKC/